United Nations A/HRC/38/8

General Assembly

Distr.: General
11 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Botswana

* The annex is being circulated without formal editing, in the language of submission only.

GE.18-05685(E)
1805685

Please recycle

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-ninth session from 15 to 26 January 2018. The review of Botswana was held at the 5th meeting, on 17 January 2018. The delegation of Botswana was headed by the Minister of Nationality, Immigration and Gender Affairs, Edwin J. Batshu. At its 10th meeting, held on 19 January 2018, the Working Group adopted the report on Botswana.

2. On 10 January 2018, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Botswana: China, Cuba and the United States of America.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Botswana:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/29/BWA/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/29/BWA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/29/BWA/3).

4. A list of questions prepared in advance by Belgium, Brazil, Germany, Portugal, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Botswana through the troika. These questions are available on the website of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that the national report had been prepared in collaboration with civil society organizations. The Government, in collaboration with civil society, would endeavour to draw up national action plans to implement the recommendations received during the current review.

6. In 2016, the national transformative agenda, Vision 2036, had been launched as a road map to deliver national aspirations for the next 20 years, and to guide Botswana on the path of inclusive development, to be achieved through the expansion of the domestic economy, while empowering citizens to meaningfully participate in the development of the country. The Eleventh National Development Plan had been adopted to guide medium-term economic development, as a first step in the implementation of Vision 2036.

7. In 2014, the Cabinet had approved the amendment of the Ombudsman Act, Act No. 5 of 1995 to confer a human rights mandate on the Office of the Ombudsman. The drafting of the Ombudsman Amendment Bill was at an advanced stage, and the Bill would be tabled during the July 2018 session of Parliament, making it possible to establish a national human rights institution. Moreover, a human rights unit would be established in the Office of the President and would contribute to ensuring adherence to the reporting obligations under the various treaties.

8. In 2017, Botswana had reported to the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. In relation to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, work had commenced on the preparation of the initial report. With regard to the International Convention on the Elimination of All Forms of Racial Discrimination and

the International Covenant on Civil and Political Rights, the Government had chosen to use the simplified reporting procedure to submit its pending periodic reports.

9. In 2017, Parliament had passed the Rome Statute of the International Criminal Court Act of 2017, which reflected the commitment of Botswana to prosecute, at a national level, those allegedly responsible for crimes recognized under the Rome Statute. The unwavering belief of the Government in the spirit that had inspired the creation of the International Criminal Court had led Botswana to co-sponsor a paper on the activation of the Court's jurisdiction over the crime of aggression.

10. Policies and programmes had been put in place to provide significant investment in social protection, health and education. Poverty eradication initiatives, which were aimed at economically empowering the poor by providing beneficiaries with skills and funds to enable them to live a dignified life, continued to be implemented.

11. In 2014, the National Strategic Framework 2010–2016 had been reviewed to align the priorities contained therein with the latest developments relating to HIV/AIDS. In 2016, the Treat All Strategy had been launched. The Government had subscribed to the Joint United Nations Programme on HIV/AIDS 90-90-90 target and to efforts to bring an end to AIDS by 2030. HIV/AIDS interventions were open to all and were not used as a means to negatively target or stigmatize any group. The country was about to embark on the fifth Botswana AIDS Impact Survey, with the aim of updating the existing data on HIV/AIDS. The survey would be combined with the first-ever survey on the prevalence of tuberculosis.

12. Access to good quality health-care services remained a priority and, in that context, a five-year training strategy and annual training plans had been developed that were aimed at strengthening the capacity of health-care workers. Furthermore, the law on mental health of 1971 was currently under review and the initial draft of the non-communicable diseases strategy for the period 2017–2022 had been completed.

13. Progress had been made in improving the lives of members of communities located in remote areas under the Affirmative Action Framework for Remote Area Communities. Consultations were ongoing with the communities in question, including those located around the Central Kalahari Game Reserve, regarding issues affecting them.

14. Six boreholes had been drilled in the Central Kalahari Game Reserve for use by its residents and plans were under way to increase that number. Furthermore, water containers with a capacity of 10,000 litres were filled on a monthly basis. A mobile clinic provided health care once a month and social protection food rations were distributed on a monthly basis. Hunting was illegal, except on private game farms. Members of remote area communities were allowed to gather wild fruits for consumption.

15. Internal consultations were ongoing with a view to acceding to the Convention on the Rights of Persons with Disabilities. It was expected that a revised National Policy on Care for People with Disabilities would be discussed during the July 2018 session of Parliament.

16. The National Policy on Gender and Development, adopted in 2015, was being implemented and monitored by the National Gender Commission.

17. Girls who had dropped out of school as a result of pregnancy and other challenges were reintegrated into the education system: an approach which had resulted in an increase in the number of girls enrolled in education at the tertiary level.

18. Gender-based violence remained a challenge but was being addressed through the national strategy on ending gender-based violence for the period 2014–2020. In July 2017, a pilot of the Gender-Based Violence Referral System had been concluded in the northern and southern parts of the country. Also, traditional leaders (*Dikgosi*) had been engaged in mainstreaming gender into the customary justice system.

19. The Anti-Human Trafficking Act had come into force in 2015 and the Anti-Human Trafficking National Action Plan was expected to be launched in April 2018. The Plan focused on prevention, protection, prosecution and partnership, in line with the international instruments concerning trafficking in persons.

20. Botswana held the view that the death penalty was not a human rights violation, or a form of torture, but rather a matter of criminal justice. Botswana retained the sovereign right to independently decide on its own criminal justice system, including the retention of the death penalty. There were robust laws and institutions in place, including an independent judiciary, in order to ensure that there was no arbitrary imposition of the death sentence. Nonetheless, the Government intended to hold public debates on the death penalty and would welcome technical and financial assistance in carrying out that exercise.

21. Botswana had made good progress in the realization of universal access to primary education and was currently focusing on good-quality basic education and lifelong learning. One of the major challenges was providing a learning environment that catered for students with varied potentials, interests, career inclinations and backgrounds and for instruction in mother-tongue languages.

22. In 2016, the Ministry of Tertiary Education, Research, Science and Technology had been established with a view to transforming Botswana into a knowledge-based economy.

23. To mitigate human-wildlife conflict and to help drive animals such as elephants from community and farming areas, additional material resources, including aircraft and capture equipment, were being procured.

24. Botswana welcomed and took on board the majority of the concluding observations and recommendations formulated by the Special Rapporteur on the human rights to safe drinking water and sanitation following his visit in 2015. In the past, Botswana had accepted all requests for visits by the special procedure mandate holders and remained open to receiving any future requests. The latest requests for visits by the Special Rapporteurs on the right to food and on minority issues had been accepted and the visits would be held on mutually agreed dates.

25. The Botswana Emergency Water Security and Efficiency Project was currently being implemented and would improve water availability and wastewater management in 60 settlements. A review of water-sector policies and legislation was being undertaken. Sanitation capacity was being upgraded and a new national waste-management policy was expected to be adopted.

26. The low-income housing programme, a part of the national housing policy, was being implemented, with the focus on providing access to adequate and affordable housing. In an attempt to provide shelter for disadvantaged persons, the Government had committed to providing decent shelter to all persons concerned by the end of 2019. The target for the number of housing units to be delivered each year had been set at 1,000.

27. In order to improve food security, the Government continued to promote agricultural production through programmes such as the Integrated Support Programme for Arable Agriculture Development and the Livestock Management and Infrastructure Development Programme.

28. Botswana continued to face challenges such as unemployment, especially among young persons, income inequality and a relatively undiversified economy. Heavy reliance on diamond exports, coupled with a drop in revenue from non-mineral sectors, were expected to have an adverse impact on gross domestic product (GDP). As a part of its policy and planning frameworks, the Government considered economic diversification to be a crucial step towards promoting employment and economic development.

29. Over the past three decades, socioeconomic development had suffered a major setback due to the devastating human and social impact of the HIV/AIDS pandemic. The delegation called for assistance from development partners to enhance the promotion and protection of human rights, development and fundamental freedoms.

B. Interactive dialogue and responses by the State under review

30. During the interactive dialogue, 83 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

31. The Russian Federation was concerned by the high maternal mortality rates by the fact that Botswana was a country of origin, transit and destination of human trafficking and by the fact that the use of corporal punishment was legal in the penitentiary system, including the juvenile justice system.

32. Rwanda welcomed the establishment of a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It encouraged Botswana to consider ratifying the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities.

33. Senegal appreciated the efforts of Botswana in the areas of development and poverty eradication, including through policies and programmes designed to ensure the enjoyment of the right to food, youth empowerment and to strengthen the position of women in the economy.

34. Sierra Leone encouraged Botswana to continue to develop enforceable measures that were aimed at eliminating child, early and forced marriage in rural areas, and to provide universal birth registration for all children born in its territory.

35. Singapore applauded the efforts of Botswana to empower women in the labour market by increasing the budget of the Women's Economic Empowerment Programme, and to give all children a good start in life by scaling up early childhood development initiatives.

36. Slovakia welcomed the adoption of the Education and Training Sector Strategic Plan in 2015. Slovakia invited Botswana to enhance its cooperation with the United Nations human rights mechanisms and encouraged it to extend a standing invitation to the special procedure mandate holders.

37. Slovenia commended Botswana for taking several legislative measures to prohibit and eliminate all forms of harmful practices. However, it regretted that sufficient funding had not yet been allocated for the implementation of the National Plan of Action for All Children.

38. South Africa praised the establishment of the human rights unit in the Office of the President and looked forward to the national human rights strategy that the unit had been mandated to produce.

39. Spain thanked Botswana for participating in the universal periodic review and made recommendations.

40. The State of Palestine commended Botswana for the efforts it had made to reduce poverty.

41. The Sudan noted that, in 2017, Botswana had signed the Safe Schools Declaration, which was a global commitment towards providing support, protection and sustainable education in wartime and an important step towards implementing the fundamental right to education.

42. Sweden acknowledged the continued work of Botswana to fulfil its obligations with regard to human rights and encouraged further efforts in that regard.

43. The Syrian Arab Republic stated that it had carefully followed the presentation of the national report by Botswana and read the two reports prepared by OHCHR, especially with regard to the implementation of previous review recommendations by Botswana.

44. Thailand commended the progress made by Botswana, particularly in terms of implementing its policies on the eradication of poverty, the fight against HIV/AIDS, the protection of disadvantaged and marginalized communities and provision for human rights education in the school curriculum.

45. Timor-Leste welcomed the efforts made by Botswana to promote development and poverty reduction, and saw the measures taken by Botswana to fight HIV/AIDS as a step forward in promoting the right to health.

46. Togo congratulated Botswana for its commitment to the achievement of the Sustainable Development Goals through the Vision 2036 agenda, the aim of which was to ensure the prosperity of all citizens.

47. Tunisia appreciated the participatory approach adopted in drafting the national report, and welcomed the efforts to disseminate information on human rights by integrating the issue into primary and secondary education curricula and training programmes for civil servants.

48. Turkey praised the poverty eradication programmes of Botswana. It indicated that certain shortcomings remained with regard to ensuring gender equality and the protection of children's rights and that Botswana should increase efforts to further improve the situation in that regard.

49. Ukraine noted the active cooperation with civil society, as reflected in the national report and encouraged Botswana to continue with that process, as it was potentially beneficial to all in overcoming existing challenges.

50. The United Kingdom welcomed steps to domesticate the Rome Statute and to ratify the Southern African Development Community Protocol on Gender and Development. It encouraged Botswana to protect victims of trafficking and to apply stringent penalties for perpetrators.

51. The United States commended Botswana for the court rulings affirming the rights of transgender persons, urged it to protect lesbian, gay, bisexual, transgender and intersex persons from discrimination and expressed concern at restrictions on freedom of expression.

52. Uruguay applauded the initiative of Botswana on combating HIV/AIDS and the adoption of the national gender and development policy. It expressed the hope that Botswana would domesticate the provisions of the international human rights instruments that it had already ratified.

53. The Bolivarian Republic of Venezuela praised steps to approve the Anti-Human Trafficking Act, to combat poverty and HIV/AIDS, to develop remote areas and to improve education. It noted that the international community should provide Botswana with support and encouraged the State to pursue its efforts in those fields.

54. Zambia applauded Botswana for being an example of good governance in Africa and for the establishment of institutions to ensure transparency. It noted that governance needed to be inclusive and to enable wide participation.

55. Zimbabwe praised the steps to adopt the Vision 2036 agenda, to implement poverty eradication initiatives, including the Youth Empowerment Scheme, to facilitate access to tertiary education and to mainstream human rights education into the school curriculum.

56. Afghanistan commended the achievements of Botswana since the previous review and its initiatives to eradicate poverty focused on the rural population, women and youth.

57. Algeria noted with appreciation progress in implementing policies on nation building, development and poverty reduction, including acknowledgement of the right of local people to manage and use natural resources.

58. Angola welcomed the progress in poverty eradication through the poverty eradication programme, urging Botswana to continue its efforts. It noted that the Vision 2036 agenda, the Youth Development Fund and the Women's Economic Empowerment Programme were important for inclusive development.

59. Argentina congratulated Botswana on its poverty eradication initiatives focused on the economic empowerment of the poorest people.

60. Armenia praised efforts to establish a human rights unit and to implement the National Policy on Gender and Development, and encouraged Botswana to pursue its efforts in that regard. Armenia urged Botswana to establish a moratorium on the death penalty and to enshrine the right to education in the Constitution.

61. Australia commended the ratification of the Southern African Development Community Protocol on Gender and Development. It called on Botswana to ensure the protection of the freedom of expression and assembly, while expressing its continued concern about the application of the death penalty.

62. Azerbaijan appreciated the constructive cooperation of Botswana with the United Nations human rights mechanisms, expressing the hope that relevant mechanisms and organizations would enhance financial and technical assistance for Botswana.

63. Bangladesh applauded steps to domesticate the Rome Statute of the International Criminal Court and to adopt the National Policy on Gender and Development and the Anti-Human Trafficking Act. It noted that, although Botswana had achieved remarkable socioeconomic progress, it needed sustained international support.

64. Belgium acknowledged efforts to combat HIV/AIDS, including through the National Strategic Framework, expressing the conviction that further progress could be achieved in protecting vulnerable groups. It expressed concern at the fact that the death penalty was still on the statute books.

65. Benin welcomed measures and initiatives to ensure local development and respect for human rights, urging Botswana to build on its achievements.

66. Bhutan commended Botswana for the implementation of recommendations from the previous review. It requested Botswana to continue efforts to ratify human rights treaties.

67. Brazil commended Botswana for initiatives to tackle inequality and for its health policies. Brazil recognized the positive steps taken in the areas of freedom of expression and the press, and in ensuring women's empowerment and representation in public life. It encouraged further action to prohibit corporal punishment.

68. Burkina Faso encouraged Botswana to revise the 2009 Children's Act to bring it into line with the Convention on the Rights of the Child, to significantly reduce the maternal mortality rate and to guarantee universal birth registration for all children born in its territory.

69. Canada noted the ongoing International Criminal Court membership of Botswana and its commitment to the Court. Furthermore, Canada welcomed the court judgments in Botswana enabling transgender persons to change their gender status on national identity registration documents to reflect their gender identity.

70. Chad welcomed the adoption of the National Policy on Gender and Development and the establishment of the National Gender Commission. It also noted with satisfaction the Anti-Human Trafficking Act.

71. Chile welcomed the creation of the Human Trafficking (Prohibition) Committee, the adoption of relevant legislation and efforts to broaden access to justice through the creation of three new courts of first instance.

72. Côte d'Ivoire appreciated the measures aimed at reducing extreme poverty and welcomed efforts to establish a national human rights institution in compliance with the Paris Principles.

73. Cuba emphasized the adoption of the Anti-Human Trafficking Act and of the Eleventh National Development Plan.

74. Denmark mentioned that, during its second universal periodic review, Botswana had noted recommendations to ratify the Optional Protocol to the Convention against Torture and stated that the Convention against Torture Initiative stood ready to assist Botswana on that issue.

75. Ecuador emphasized the recognition by Botswana of the need to revise laws and policies that were incompatible with the full enjoyment of constitutional rights and international standards.

76. Egypt praised Botswana for its efforts to fight poverty, combat HIV/AIDS, promote the rights of the child through the inclusion of human rights issues in the school curricula and end discrimination.

77. Estonia commended the initiatives of Botswana to eradicate poverty, including the Women's Economic Empowerment Programme, and the Rome Statute of the International Criminal Court Act of 2017 domesticating the Rome Statue. Estonia encouraged Botswana to gradually reduce the backlog of periodic reports to the treaty bodies.

78. Ethiopia commended the adoption of the Vision 2036 agenda and the Eleventh National Development Plan, and noted with satisfaction the Government's initiatives to eradicate poverty.

79. Finland noted that indigenous children's access to education should be strengthened. It also noted the ongoing efforts to establish a national human rights institution and stressed the importance of ensuring compliance with the Paris Principles.

80. France welcomed the significant progress made by Botswana in human rights, especially in terms of freedom of expression and of the press, the cultural rights of minorities and the fight against HIV/AIDS.

81. Gabon welcomed actions taken to combat poverty, social disparity and vulnerability, and welcomed programmes to empower women and promote gender equality.

82. Georgia welcomed efforts towards the establishment of a national human rights institution and encouraged the Government to strengthen measures in that direction. It encouraged Botswana to accelerate efforts that were aimed at preventing gender-based violence.

83. Germany commended Botswana for the improvements it had made in access to health care, schooling and education.

84. Ghana welcomed the progress made in eradicating poverty, combating HIV/AIDS and gender-based violence and promoting children's rights and gender equality. It was concerned that civil society actors had been excluded from benchmarking missions to human rights institutions in some African countries.

85. Greece commended Botswana for implementing recommendations from the previous review, achievements in reducing poverty, efforts towards establishing a national human rights institution and the domestication of the Rome Statute of the International Criminal Court.

86. The Holy See commended Botswana for its efforts in implementing poverty eradication initiatives and encouraged the Government to pursue that work.

87. Honduras welcomed efforts to implement recommendations from the previous review, particularly those relating to development and poverty reduction.

88. Iceland commended Botswana for progress in implementing recommendations from the previous review, and for introducing a women's empowerment programme.

89. India welcomed the amendment of the Ombudsman Act to establish a national human rights institution, the efforts of Botswana to curtail poverty and unemployment and its empowerment of women and youth. India noted progress in implementing the right to health, including the development of the national HIV/AIDS strategy.

90. Indonesia commended the work of Botswana in transforming the Office of the Ombudsman into a national human rights institution. In the view of Indonesia, the appeal by Botswana for continued support in combating HIV/AIDS should be prioritized by development partners and the international community.

91. Iraq commended the efforts of Botswana to eradicate poverty, notably through its development plan for remote areas, and its efforts to eradicate HIV/AIDS.

92. Ireland was concerned that consensual adult same-sex sexual activities remained criminalized, that lesbian, gay, bisexual, transgender and intersex persons were stigmatized and that the death penalty had been retained. Recalling previous relevant recommendations, Ireland expressed regret at the fact that marital rape had not been criminalized.

93. Italy welcomed the adoption of the Rome Statute of the International Criminal Court Act, the implementation of poverty eradication initiatives, the mainstreaming of human rights education into school curricula and the endorsement of the Safe Schools Declaration.

94. Kenya commended Botswana for its progress in implementing human rights, fundamental freedoms and recommendations from the previous review.

95. Libya commended the commitment of Botswana to human rights and to the United Nations mechanisms, and encouraged it to ratify the International Covenant on Economic, Social and Cultural Rights.

96. Liechtenstein welcomed the efforts to set up a national human rights institution. It expressed concern at the continued legality and use of the death penalty and corporal punishment.

97. Madagascar recognized the progress made in combating poverty and investment in social protection, education and health services. It noted the alignment of domestic law with the Rome Statute of the International Criminal Court and the adoption by Botswana of a policy on gender equality in 2015.

98. Malaysia recognized the progress made in eradicating poverty and promoting gender equality, as reflected in the Vision 2036 agenda. Malaysia lauded the inclusion of traditional leaders in efforts to promote gender mainstreaming and to award scholarships to girls.

99. Maldives welcomed the Vision 2036 agenda. It was encouraged by efforts to eradicate poverty with the introduction of the Youth Empowerment Scheme and the Women's Economic Empowerment Programme. It also commended the prioritization of the fight against HIV/AIDS.

100. Mauritania welcomed efforts to establish a human rights unit in the Office of the President and to set up social development programmes. It remained concerned about the low level of participation of women in public life.

101. Mauritius applauded the progress relating to legislative and institutional measures to address social concerns, promote gender equality and increase access to education. It commended the conversion of the Office of the Ombudsman into the national human rights institution.

102. Mexico applauded the domestication of the Rome Statute of the International Criminal Court and the increased cooperation of Botswana with international human rights mechanisms.

103. Montenegro commended the efforts to establish a national human rights institution and the achievements in development and poverty reduction. It noted that there were several human rights treaties to which Botswana was not a party and that there were overdue periodic reports.

104. Morocco welcomed the measures taken to enable access to education in the framework of the Vision 2036 agenda. It also highlighted the Government's ongoing fight against poverty and HIV/AIDS.

105. Mozambique noted the progress made in implementing recommendations from the previous universal periodic review cycle, in particular on gender and gender-based violence. It also commended the steps taken to strengthen the implementation of poverty eradication programmes.

106. Myanmar welcomed the commitment of Botswana to combating the scourge of HIV/AIDS and the launch of the Treat All Strategy in 2016. It expressed concern at reports of child sexual abuse.

107. Namibia applauded the progress and achievements of Botswana in the fields of development and poverty reduction. It also called upon the international community to assist Botswana in fully implementing the Vision 2036 agenda.

108. The Netherlands commended Botswana for its active role as a member of the Human Rights Council and its willingness to create a national human rights institution. It

expressed regret at the fact that Botswana had not accept recommendations relating to the decriminalization of same-sex sexual activities.

109. The Niger congratulated Botswana on the reduction of poverty in rural and urban areas, as indicated in its report highlighting the achievement of the targets of the Millennium Development Goals.

110. Paraguay welcomed the recent progress of Botswana in terms of human rights and especially with regard to the Rome Statute of the International Criminal Court Act.

111. The Philippines recognized the enactment by Botswana of the Anti-Human Trafficking Act of 2014 and the resulting advances made by the State in the areas of human trafficking, migrants and poverty alleviation.

112. Portugal welcomed the efforts to establish a national human rights institution.

113. The Republic of Korea noted progress in the areas of development and poverty reduction. It hoped that the policies and initiatives to develop the economy could be implemented to address the concerns of disadvantaged and marginalized communities.

114. The delegation of Botswana stated that the Government was committed to ensuring the protection of all children, as evidenced by the ratification and domestication of relevant international and regional instruments and the report it had submitted to the Committee on the Rights of the Child.

115. Birth registration was carried out through a computerized, real-time system linked to the national identity system. There were decentralized district registration offices across the country. All major hospitals had a birth and death registration desk and there were mobile field visits by teams to reach out to children in remote areas.

116. The protection of children was carried out at the national and local levels through established functional structures, including the National Children's Council, the Village Child Protection Committees and the National Children's Consultative Forum, which enabled the participation of children.

117. In order to establish the magnitude of sexual abuse of children, a survey on violence against children had recently been completed. A response plan would be finalized and disseminated by March 2018. The child protection protocol had been completed and would also be disseminated.

118. Legislative measures had been taken to prohibit all forms of practices that were harmful to children. Education and capacity-building of different stakeholders implementing the Children's Act had continued through "*kgotla*" (traditional meetings) and workshops.

119. The results of the ongoing situational analysis for orphans and vulnerable children would inform the reviews of the National Plan of Action for Orphans and Vulnerable Children (2010–2016) and the National Plan of Action for Children 2006–2016. There was a comprehensive people-centred social protection system for vulnerable groups.

120. Through the Revised Remote Area Development Programme of 2009, children from remote area communities were assisted with access to education.

121. Botswana was working towards lifting its reservations to article 1 of the Convention on the Rights of the Child and article 2 of the African Charter on the Rights and Welfare of the Child. Legislation was being amended to bring the definition of the child into line with that contained in those instruments.

122. Botswana had retained corporal punishment in its 2009 Children's Act because communities had insisted that the practice should not be abolished. Measures were being explored to change the mindset of those communities.

123. The National Policy on Gender and Development, which was aligned with the Sustainable Development Goals, recognized the critical role played by civil society organizations, development partners and the media in advancing the gender agenda.

124. Some customary laws discriminated against women, who could seek redress from the common law courts. Legal aid was available to poor women. The Government, in collaboration with civil society, continued to engage with community and religious leaders and the general public on issues that perpetuated gender inequality.

125. Schools had guidance and counselling units to counter gender-based violence, which mostly comprised bullying. Local councils had dedicated social workers to strengthen programming efforts that ensured safety in schools. The Botswana Police Service had gender focal points and the Botswana Defence Force had focal points to enhance gender mainstreaming initiatives.

126. With the support of the Government, civil society organizations provided places of safety for victims of gender-based violence. The Government intended to establish and strengthen places of safety, based on the findings of the 2017 study on gender-based violence.

II. Conclusions and/or recommendations

127. **The recommendations listed below have been examined by Botswana and enjoy the support of Botswana:**

127.1 **Ratify those international instruments that Botswana had committed to ratifying during the second cycle of the universal periodic review (Madagascar);**

127.2 **Cooperate fully with treaty bodies by meeting reporting obligations as a Member State (Republic of Korea);**

127.3 **Continue to work on the implementation of its commitments to promote and protect human rights in the light of the recommendations already accepted (Sudan);**

127.4 **Consider the creation of a national follow-up mechanism for recommendations on human rights issues, which would allow for the adequate follow-up of the obligations and recommendations made by regional and universal human rights systems (Paraguay);**

127.5 **Domesticate the Convention on the Elimination of All Forms of Discrimination against Women, in order to enhance the promotion and protection of women's rights (Namibia);**

127.6 **Continue efforts to ensure that the national human rights institution that will be established will be in compliance with the Paris Principles (Portugal);**

127.7 **Expedite the establishment of a national human rights institution in conformity with the Paris Principles (Sierra Leone);**

127.8 **Intensify efforts aimed at establishing a national human rights institution in line with the Paris Principles (Ukraine);**

127.9 **Prioritize the setting-up of a national human rights institution in accordance with the Paris Principles (South Africa);**

127.10 **Step up the process of setting up a national human rights institution in conformity with the Paris Principles (Togo);**

127.11 **Accelerate the establishment of a national human rights institution in line with the Paris Principles (Afghanistan);**

127.12 **Establish, without further delay, a national human rights institution that will be in full compliance with the Paris Principles (Liechtenstein);**

127.13 **Establish a national human rights institution in line with the Paris Principles (Morocco);**

127.14 **Complete the legal procedures to establish the national human rights institution (Tunisia);**

127.15 **Complete its efforts to establish a national human rights institution in line with the Paris Principles (Greece);**

127.16 **Establish a national human rights institution that is in line with the Paris Principles by finalizing and adopting the Ombudsman Amendment Bill that will confer a human rights mandate on the Office of the Ombudsman (Thailand);**

127.17 **Make every effort to ensure that its national human rights institution is in compliance with the Paris Principles (Timor-Leste);**

127.18 **Ensure the independence of the Office of the Ombudsman as a national human rights institution in line with the Paris Principles (Canada);**

127.19 **Take concrete steps towards the finalization of the bill on the transformation of the Office of the Ombudsman into a hybrid national human rights institution (Namibia);**

127.20 **Ensure that the Office of the Ombudsman, as a national human rights institution, is independent and adequately financed in line with the Paris Principles (Germany);**

127.21 **Resource adequately the National Gender Commission established in 2016 to monitor implementation of the National Policy on Gender and Development to perform its functions effectively (Singapore);**

127.22 **Finalize the work on a Comprehensive Human Rights Strategy and National Action Plan (Turkey);**

127.23 **Finalize its plans to develop a National Human Rights Strategy and National Action Plan (Zimbabwe);**

127.24 **Take measures to improve efficiency, accountability and transparency in the public service of the country (Azerbaijan);**

127.25 **Provide trainings on human rights principles and obligations for all law enforcement officers, as well as continue to investigate allegations of human rights violations, including violations committed by police officers, and hold accountable those who are responsible (Thailand);**

127.26 **Take measures to prevent and combat all forms of discrimination, especially against women, persons with disabilities and other vulnerable groups (Italy);**

127.27 **Continue with reforms, which include introducing measures to diversify the economy and accelerate economic growth aimed at increased productivity, poverty reduction and the attainment of equitable social development (Indonesia);**

127.28 **Take active steps to ensure that public consultations on the abolition of the death penalty, including on its abolition, are held, and include information on the outcome of those consultations in its next universal periodic review report (Rwanda);**

127.29 **Renew the work towards holding a public national discussion on the death penalty (Ukraine);**

127.30 **Criminalize domestic violence and continue the elaboration and implementation of public policies to prevent, address, punish and eradicate all forms of violence against women, including building help centres for women victims of violence (Paraguay);**

127.31 **Implement further measures to combat gender-based violence and take steps to strengthen legal protections for victims of gender-based violence (Australia);**

127.32 **Train police officers and other stakeholders on the handling of reported cases of gender-based violence (Belgium);**

127.33 **Punish the authors responsible of sexual violence against women and girls (France);**

127.34 **Strengthen its domestic criminal legal system in order to effectively investigate and prosecute crimes (India);**

127.35 **Continue with efforts in the field of gender equality, especially by removing loopholes in national legislation and by encouraging participation of women in the economy and politics (Slovenia);**

127.36 **Continue to study the possibility of establishing the measures and mechanisms in order to improve the representation of women's access to decision making positions in politics (Mauritania);**

127.37 **Take the necessary measures, as a country of origin, transit and destination for human trafficking and sexual exploitation of children, to address and investigate such crimes (Syrian Arab Republic);**

127.38 **Continue to strengthen measures to combat human trafficking by providing training to service providers and stakeholders working with victims of human trafficking (Maldives);**

127.39 **Take concrete measures to prevent human trafficking and exploitation, especially of women and children (Republic of Korea);**

127.40 **Work closely with civil society and non-governmental organizations in addressing human trafficking issues (Philippines);**

127.41 **Enhance its social protection programme in areas such as targeting mechanisms, implementation procedures and coordination (State of Palestine);**

127.42 **Strengthen the economic resources of the most vulnerable so that they can live in dignity (Libya);**

127.43 **Continue taking further measures to eradicate poverty (Azerbaijan);**

127.44 **Adopt a specific policy with affirmative action measures to lift young people out of exclusion and poverty, particularly those living in rural areas (Honduras);**

127.45 **Continue working on poverty eradication initiatives with special focus on women and children (Bhutan);**

127.46 **Further strengthen policies aimed at poverty eradication (Georgia);**

127.47 **Adopt measures to improve the quality of water (Timor-Leste);**

127.48 **Continue efforts to ensure the right to safe drinking water and sanitation by adopting, in this regard, a national water supply policy that includes a strategy for its sustainable management and measures to improve its treatment (Spain);**

127.49 **Adopt a national water policy, elaborating a long-term strategy to manage this resource in a sustainable manner (Senegal);**

127.50 **Adopt policies aimed at improving the quality of water and introduce a systematic monitoring system for water treatment (Holy See);**

127.51 **Take necessary measures to improve access to health, particularly for vulnerable groups, including children and women (Algeria);**

127.52 **Broaden access to emergency obstetric care, improve midwifery training for medical personnel and consider increasing resources assigned to maternal health (Russian Federation);**

127.53 **Work at improving health-care infrastructure, access to emergency obstetric care, midwife training and resources devoted to maternal health (Holy See);**

127.54 **Further improve the health-care infrastructure in Botswana and pay special attention to awareness-raising programmes among women and adolescent girls in rural areas for addressing the challenge of HIV/AIDS (India);**

127.55 **Further strengthen its national programme to reduce HIV prevalence, especially among young people (Indonesia);**

127.56 **Strengthen the policies to combat HIV/AIDS (Senegal);**

127.57 **Maintain the Government's programmes on combating HIV/AIDS with the support of the World Health Organization and other international partners (Ukraine);**

127.58 **Take further steps to ensure the right to health, particularly by combating the scourge of HIV/AIDS (Azerbaijan);**

127.59 **Continue to take action to promote awareness-raising programmes for the prevention of HIV/AIDS (Myanmar);**

127.60 **Strengthen targeted interventions on vulnerability to HIV and gender-based violence (Ethiopia);**

127.61 **Continue efforts to promote comprehensive education policies, particularly by implementing the national strategic education plan (2015–2020) (Brazil);**

127.62 **Improve the quality of education (Iraq);**

127.63 **Promote human rights education and awareness-raising for the public, including schools, through government ministries and other bodies (Ghana);**

127.64 **Continue efforts to implement Committee on the Elimination of Discrimination Against Women obligations and promote and protect the rights of women (Maldives);**

127.65 **Continue to put emphasis on gender equality and ensuring the rights of women and girls, including better access for them to education, aside from committing greater budgetary resources to the Women's Economic Empowerment Programme (Malaysia);**

127.66 **Take measures aimed at ending violence against women and girls and the discrimination suffered by them by influencing traditional practices that undermine gender equality and promoting greater participation of women in all sectors of society (Spain);**

127.67 **Continue efforts to combat discrimination against women and achieve gender equality (Tunisia);**

127.68 **Continue efforts to achieve gender equality and the empowerment of women (Egypt);**

127.69 **Continue to strengthen programmes for the economic empowerment of women (Cuba);**

127.70 **Pursue the implementation of plans and strategies to promote the rights of the child (Cuba);**

127.71 **Continue conducting the situational analysis of the National Plan of Action for Orphans and Vulnerable Children (Slovenia);**

127.72 **Allocate dedicated funding to the National Plan of Action for Orphans and Vulnerable Children for more effective implementation (Singapore);**

127.73 **Implement gender equality policies that foster girls' access to health and education and raise awareness among the population about sexual and gender-based violence (Mexico).**

128. **The following recommendations will be examined by Botswana, which will provide responses in due time, but no later than the thirty-eighth session of the Human Rights Council:**

128.1 **Enhance efforts to conform to the international standards concerning human rights, also by continuing the ratification process of the main international instruments (Italy);**

128.2 **Consider initiating the processes of ratification of the main human rights treaties that have not been ratified (Paraguay);**

128.3 **Become a party to international human rights instruments to which Botswana has not as yet become a party (Niger);**

128.4 **Ratify the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);**

128.5 **Consider the ratification of the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and incorporate these instruments into its national legislation (Burkina Faso);**

128.6 **Ratify the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);**

128.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and harmonize its national migration policy with the principles espoused in the Convention (Philippines);**

128.8 **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (Denmark);**

128.9 **Intensify efforts to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Georgia);**

128.10 **Consider acceding to the Convention on the Rights of Persons with Disabilities (Ethiopia);**

128.11 **Accelerate the process of accession to the Convention on the Rights of Persons with Disabilities (Georgia);**

128.12 **Speed up the process of accession to the Convention on the Rights of Persons with Disabilities (Azerbaijan);**

128.13 **Consider ratifying the Convention on the Rights of Persons with Disabilities (Mauritius);**

128.14 **Ratify the Convention on the Rights of Persons with Disabilities (Morocco);**

128.15 **Continue the process of ratification of international conventions to which this country is not yet a party, especially the ratification of the International Covenant on Economic, Social and Cultural Rights (Gabon);**

128.16 **Ratify the International Covenant on Economic, Social and Cultural Rights (Angola) (Armenia) (Egypt) (Iraq);**

128.17 **Ratify the International Covenant on Economic, Social and Cultural Rights and the Convention against Discrimination in Education (Honduras);**

128.18 **Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and the Convention on the Rights of Persons with Disabilities (Portugal);**

128.19 **Ratify the 1961 Convention on the Reduction of Statelessness (Sierra Lone);**

128.20 **Accede to and domesticate the 1961 Convention on the Reduction of Statelessness to address child statelessness and lack of nationality (Kenya);**

128.21 **Accede to the 1961 Convention on the Reduction of Statelessness (Slovakia);**

128.22 **Accede to the 1961 Convention on the Reduction of Statelessness (Côte d'Ivoire);**

128.23 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**

128.24 **Consider ratifying the Convention on the Prevention and Punishment of the Crime of Genocide in view of the upcoming seventieth anniversary of its adoption (Rwanda);**

128.25 **Ratify the Convention against Discrimination in Education (Senegal);**

128.26 **Extend a standing invitation to the special procedure mandate holders (State of Palestine);**

128.27 **Extend a standing invitation to the special procedure mandate holders (Honduras);**

128.28 **Issue an open standing invitation to the special procedures of the Human Rights Council (Ukraine);**

128.29 **Issue a standing invitation to the special procedures of the Human Rights Council (Portugal);**

128.30 **Issue a standing invitation to the special procedure mandate holders (Montenegro);**

128.31 **Fully cooperate with the United Nations human rights mechanisms and, in particular, invite the Special Rapporteur on the situation of human rights defenders to conduct visits, and ensure that there are unhindered visits with human rights defenders (Chile);**

128.32 **Recognize the competence of the Committee against Torture to receive individual communications under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Morocco);**

128.33 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

128.34 **Consider developing, in consultation with Parliament and civil society, a policy framework to guide practices and procedures concerning international treaty processes that creates rights and obligations under international law (Ghana);**

128.35 **Adopt a national action plan on the implementation of Security Council Resolution 1325 (2000) (Portugal);**

128.36 **Finalize domestic implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Turkey);**

128.37 **Take the necessary steps to incorporate into domestic law those international human rights conventions that Botswana has ratified (Slovakia);**

128.38 **Accelerate ongoing efforts to domesticate the provisions of the international human rights treaties to which it is a party (Zimbabwe);**

128.39 **Incorporate into domestic law those international human rights conventions that Botswana has ratified, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women, making them directly applicable to the courts and administrative authorities (Greece);**

128.40 **Incorporate into domestic law those international human rights conventions that had been ratified, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the African Charter on Human and Peoples' Rights, making them directly applicable to the courts and administrative authorities (Zambia);**

128.41 **Ensure full incorporation of the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women into national legislation (Afghanistan);**

128.42 **Continue efforts to domesticate ratified human rights conventions such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights (Kenya);**

128.43 **Adopt laws to incorporate into its national legislation the international human rights instruments to which it is party (Niger);**

128.44 **Include provisions of international human rights treaties ratified by Botswana in national legislation, in order to ensure their applicability in courts and administrative organs (Russian Federation);**

128.45 **Further consolidate its social and human rights policies, particularly in the area of economic, social and cultural rights, in order to improve the quality of life, particularly of the most vulnerable groups of its population (Bolivarian Republic of Venezuela);**

128.46 **Continue to address concerns about discrimination based on sex, sexual orientation or gender identity (Philippines);**

128.47 **Authorize sex changes (France);**

128.48 **Continue to fully implement various international human rights instruments, particularly the Convention on the Elimination of All Forms of Discrimination against Women and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, with a view to reducing gender-based violence (Indonesia);**

128.49 **Raise the minimum age of criminality (Turkey);**

128.50 **Disseminate further the legal aid programme aimed at promoting access to justice, increase the number of offices for legal aid throughout the country and extend the mandate of the legal aid programme to include criminal issues (Algeria);**

128.51 **Ensure that all journalists can report freely on government activities without threat or harassment (United States of America);**

128.52 **Improve legal protections for journalists, especially those receiving information from whistle-blowers or covering government protests (Australia);**

128.53 **Refrain from using criminal charges to obstruct freedom of information and expression, including for journalists who receive information from whistle-blowers (Netherlands);**

128.54 **Enlarge the space for participation of civil society for more democratic governance and social inclusion (Republic of Korea);**

128.55 **Create mechanisms to increase the representation of women in positions of responsibility (Togo);**

128.56 **Increase women's representation in decision-making positions, in particular in the areas of access to water and services (Iraq);**

128.57 **Amend the 2009 Children's Act to include the definition of child trafficking and to criminalize the worst forms of child labour (United Kingdom of Great Britain and Northern Ireland);**

128.58 **Take effective measures to prevent trafficking in human beings and to rehabilitate victims (Russian Federation);**

128.59 **Amend the Trade Disputes Act and Trade Unions and Employees Organizations Act to conform to international standards, including protecting workers' right to organize (United States of America);**

128.60 **Take effective measures to improve the condition of migrant workers in compliance with international standards (Holy See);**

128.61 **Strengthen further its efforts in the area of poverty eradication, including by strengthening and addressing shortcomings highlighted in the poverty-eradication programmes (Malaysia);**

128.62 **Widen the programmes to combat HIV for non-Botswana nationals (France);**

128.63 **Affirm that there is no international human right to abortion, resist calls to liberalize abortion and further implement laws aimed at protecting the right to life of the unborn child (Kenya);**

128.64 **Take all appropriate measures to ensure children's equal access to quality education, including, when possible, education in their own language (Finland);**

128.65 **Adopt measures based on the principle of gender equality that protect women's rights and safety and punish any discriminatory or harmful practice against them (Uruguay);**

128.66 **Review laws in order to stop violations of women's rights in the areas of adoption, marriage, divorce, burial and devolution of property on death and other personal law matters (Honduras);**

128.67 **Establish a comprehensive monitoring mechanism on the treatment of children, with the aim of disclosing cases of sexual abuse, mistreatment and neglect, including by introducing the possibility of taking children out of an environment which is not conducive for their development (Germany);**

128.68 **Take effective measures to end violence against children, including sexual abuse and exploitation (Myanmar);**

128.69 **Increase efforts to promote the rights and well-being of indigenous peoples (Philippines);**

128.70 **Strengthen measures to protect minorities and indigenous people living in the country (Benin);**

128.71 **Strengthen programmes that are aimed at preserving and reinforcing the rights of people belonging to minorities (France);**

128.72 **Ensure that indigenous peoples receive proper access to public services and water, and repeal the hunting ban, as recommended by the United Nations Special Rapporteur (Canada);**

128.73 **Adopt legislative and normative acts to ensure the right of all children to acquire citizenship and ensure that no child is born stateless (Russian Federation);**

128.74 **Amend its legislation in order to grant nationality to any child born in Botswana who would otherwise be stateless, as well as to foundlings (Sierra Leone);**

128.75 **Amend the Citizenship Act and the citizenship regulations in accordance with the Convention on the Rights of the Child, so as to ensure every child's right to a nationality (Belgium);**

128.76 **Adopt legislative measures, administrative measures and programmes which ensure the registration of all children born within its borders, regardless of their parents' migratory status or nationality, including refugees, foundling children and those born outside of hospitals (Mexico).**

129. **The following recommendations made during the interactive dialogue are noted by Botswana:**

129.1 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the International Convention for the Protection of All Persons from Enforced Disappearance (Slovakia);**

129.2 **Ratify the Optional Protocol to the International Covenant on Civil and Political Rights, the Second Optional Protocol thereto, aiming at the abolition of the death penalty, and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol (Spain);**

129.3 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and observe a moratorium on the death penalty in the interim (South Africa);**

129.4 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Togo) (Côte d'Ivoire) (Liechtenstein);**

129.5 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and take the necessary measures to repeal the death penalty from its legislation (Argentina);**

129.6 **Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and adopt a formal moratorium and commute all death sentences to prison terms (Sweden);**

129.7 **Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (Denmark);**

129.8 **Continue efforts to harmonize laws and review the dual system between customary law and common law in order to remove contradictions and inconsistencies (Tunisia);**

129.9 **Adopt specific legislation to protect victims of violence and other human rights violations committed against persons on the basis of their real or imputed sexual orientation or gender identity, in line with resolution 275 of the African Commission on Human and Peoples' Rights (Netherlands);**

129.10 **Eliminate normative exceptions and practices contrary to the principle of non-discrimination which are not in line with international human rights treaties (Ecuador);**

129.11 **Enact legislation to eliminate discrimination on the basis of sexual orientation and gender identity (Australia);**

129.12 **Ensure the adoption of specific legislation to fight discrimination, hate speech and violence based on sexual orientation and gender identity (Brazil);**

129.13 **Protect lesbian, gay, bisexual, transgender and intersex persons from discrimination by amending sections 164, 165 and 167 of the Penal Code of Botswana to decriminalize same-sex activities among consenting adults and by explicitly including sexual orientation and gender identity as listed grounds of non-discrimination in section 3 of the Constitution (Germany);**

129.14 **Prohibit discrimination towards the lesbian, gay, bisexual, transgender and intersex community, at the same time ensuring the full respect of everyone's human rights, regardless of their sexual orientation or gender identity (Uruguay);**

129.15 **Initiate awareness-raising activities for the general public on the human rights of lesbian, gay, bisexual, transgender and intersex persons, in order to prevent stigmatization and discrimination and to support civil society actors in similar efforts (Finland);**

129.16 **Abolish the death penalty (France) (Honduras);**

129.17 **Consider abolishing the death penalty (Mozambique);**

129.18 **Give due consideration to the legal abolition of the death penalty and to the commutation of all death sentences to terms of imprisonment (Liechtenstein);**

129.19 **Impose a moratorium on the use of the death penalty (Montenegro);**

129.20 **Establish an official moratorium on executions and abolish the death penalty (Germany);**

129.21 **Establish a moratorium on the application of the death penalty, with a view to holding informed debates about its full abolition (Mexico);**

129.22 **Establish a moratorium on the death penalty as a first step towards its full abolition and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal);**

129.23 **Agree to a moratorium on the death penalty as a first step towards its ultimate abolition, as previously recommended (Ireland);**

129.24 **Impose a country-wide moratorium on the death penalty that immediately halts all sentences and executions, with a view toward complete abolition of the death penalty (Iceland);**

129.25 **Consider implementing a moratorium on the death penalty (Ghana);**

129.26 **Enact a moratorium on the use of the death penalty, with a view to abolishing it, and enhance the promotion and the protection of the right to life (Holy See);**

129.27 **Establish a formal moratorium on the death penalty, as a step towards complete abolition of this practice (Australia);**

129.28 **Establish and implement a moratorium on executions as a first step towards the abolition of the death penalty (Belgium);**

129.29 **Establish a moratorium on the use of the death penalty, with a view to its abolition in law and practice (Chile);**

129.30 **Establish a moratorium on executions, with a view to fully abolishing the death penalty, as previously recommended (Estonia);**

129.31 **Consider a moratorium on the death penalty, with a view to its legal and practical elimination (Ecuador);**

129.32 **Repeal the death penalty and consider a moratorium pending its complete abolition (Canada);**

129.33 **Hold public consultations on the use of the death penalty and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);**

129.34 **Consider initiating an inclusive public discussion on the implementation of a moratorium on the death penalty with the aim of abolishing it (Angola);**

129.35 **While welcoming the public debates on the death sentence, Namibia encourages Botswana to consider placing a moratorium on executions, commute all death sentences to other sentences and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Namibia);**

129.36 **Promote a national debate on the death penalty, with a view to establishing a moratorium on executions (Italy);**

129.37 **Abolish the death penalty definitively, hold a public debate to that end, and, in the meantime, humanize the process to mitigate the suffering of the persons sentenced and their families (Spain);**

129.38 **Take measures to eliminate all forms of sexual and gender-based violence, including through criminalizing marital rape, investigating and prosecuting all acts of sexual violence and providing training to law enforcement officials on sexual and gender-based violence (Canada);**

129.39 **Take urgent steps to address gender-based violence, including the creation of an act that makes marital rape illegal in Botswana (United Kingdom of Great Britain and Northern Ireland);**

129.40 **Enact specific legislation on marital rape and ensure that all violence against women and girls constitutes a criminal offence, as previously recommended (Ireland);**

129.41 **Abolish the practice of corporal punishment by introducing appropriate changes to legislation (Russian Federation);**

129.42 **Explicitly prohibit corporal punishment of children in all settings, including in the home, schools and penal institutions (Estonia);**

129.43 **Outlaw corporal punishment in all settings (Kenya);**

129.44 **Take legislative measures to prohibit all forms of corporal punishment against children and to conduct awareness-raising campaigns to**

ensure that non-violent forms of discipline are administered in a manner consistent with the child's dignity (Liechtenstein);

129.45 **Decriminalize consensual, same-sex sexual acts (Sweden);**

129.46 **Decriminalize same-sex sexual activities and ensure non-discrimination in accordance with Botswana's domestic and international human rights obligations (Iceland);**

129.47 **Repeal laws that criminalize consensual, same-sex conduct between adults and ensure all legislation, policies and programmes do not discriminate on the bases of sexual orientation or gender identity (Canada);**

129.48 **Decriminalize consensual sexual relations between people of the same sex and act to stop the discrimination suffered by people because of their sexual orientation (Spain);**

129.49 **Analyse modifying the legislation that criminalizes sexual relations between adults of the same gender in order to guarantee the rights of lesbian, gay, bisexual, transgender and intersex persons (Argentina);**

129.50 **Repeal the law repressing homosexuality (France);**

129.51 **Build upon recent court decisions upholding the human rights of transgender persons and take action to decriminalize lesbian, gay, bisexual, transgender and intersex status or conduct (United States of America);**

129.52 **Provide sustainable solutions to alleviate poverty and reduce high unemployment rates (20 per cent of the total of those able to work) (Syrian Arab Republic);**

129.53 **Widen the scope of poverty eradication programmes and increase the budget assigned to them (Turkey);**

129.54 **Constitutionally guarantee the right to education of children and adolescents (Chile);**

129.55 **Enshrine the right to education in its Constitution (Timor-Leste);**

129.56 **Ensure that the right to education, which is a fundamental human right, is enshrined in its Constitution, and that the right to basic and further education for all is protected (State of Palestine);**

129.57 **Ensure education and equal rights for all citizens in its Constitution (Syrian Arab Republic);**

129.58 **Lift its reservations on the Convention relating to the Status of Refugees, with a view to amending the policy of holding asylum seekers and refugees in camps and to providing them with work permits and decent job opportunities (Honduras).**

130. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Botswana was headed by Hon. Edwin J. Batshu: Minister of Nationality, Immigration and Gender Affairs and composed of the following members:

- H.E. Athaliah L. Molokomme: Permanent Representative of Botswana to the United Nations Office and other international organizations in Geneva;
- Mr. Dittah Legomela Molodi: General Council, Ministry for Presidential Affairs, Governance and Public Administration;
- Ms. Benetia Chingapane: Director, Department of Multilateral Affairs, Ministry of International Affairs and Cooperation;
- Ms. Ruth Radibe: Director, Department of Social Protection, Ministry of Local Government and Rural Development;
- Ms. Thapelo Phuthego: Director, Department of Gender Affairs, Ministry of Nationality, Immigration and Gender Affairs;
- Mr. Phologo J. Gaumakwe: Deputy Permanent Representative of Botswana to the United Nations Office and other international organizations in Geneva;
- Ms. Chipo Petlo: Acting Director, Department of HIV/AIDS Prevention and Care;
- Mr. Madoda Nasha, Deputy Manager-Trafficking in Persons, Ministry of Defence, Justice and Security;
- Ms. Gwiso Dube, Legal Advisor, Ministry of International Affairs and Cooperation;
- Mr. Bolokang Motshwane, First Secretary, Permanent Mission of Botswana to the United Nations Office and other international organizations in Geneva;
- Ms. Bokani Sesinyi, First Secretary, Permanent Mission of Botswana to the United Nations Office and other international organizations in Geneva.